

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Hideaki WATANABE et al.

Application No.: 10/694,989

Group Art Unit: 2681

Confirmation No.: 5296

Filed: October 29, 2003

Examiner: Tuan Pham

For: COMMUNICATION DEVICE, AND METHOD AND COMPUTER PROGRAM FOR  
INFORMATION PROCESSING THEREOF

**REQUEST FOR REFUND TO DEPOSIT ACCOUNT**  
**37 CFR 1.26 (MPEP 509)**

**Mailstop 16**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Attached hereto is a copy of a Monthly Statement of Deposit Account (dated October 2009) showing a charge(s) of \$660.00 related to the above-referenced application. The charge(s) is/are marked with Fee Code 1201, respectively, which relate to the Patent Office Fees for filing extra independent claims.

However, total number of pending claims is 13 of which 10 are independent claims and for which all fees have been previously paid as follows:

1. At the time of filing the Application on October 28, 2003, 15 claims and 11 independent claims were pending claims of which 8 were extra independent claims above 3 independent claims. Therefore, the fee of \$688.00 for 8 extra independent claims at \$86.00 for each extra independent claim was paid on October 28, 2003.
2. With the response of December 14, 2006 a fee of \$200.00 for one additional independent claim was paid (12 independent claims).
3. With the response of August 27, 2007 a fee of \$400.00 for two additional independent claims was paid (14 independent claims).
4. With the response of April 14, 2008 a fee of \$210.00 for one additional independent claim was paid (15 independent claims).

5. With the responses of October 2, 2008, May 8, 2009, September 16, 2009 and February 1, 2010, the total number of claims remained at 13 including 10 independent claims.

Therefore after filing of the application, a total of \$810.00 in fees for extra independent claims was previously paid on December 14, 2006 by Deposit Account, on August 27, 2007 by Deposit Account, and on April 14, 2008 by check No. 55344. A copy of these Deposit account statements and a copy of the check are attached.

Therefore, the Extra Independent claim Fee charged on October 2, 2009 through the Deposit Account was not due and was paid/charged in excess of the required fees. It is requested that the charges of \$660.00 paid in excess of the required extra independent claims fee be credited to Deposit Account No. 19-3935 and that the Patent Office acknowledge this credit in writing to the undersigned.

Respectfully submitted,  
STAAS & HALSEY LLP

/Mehdi D. Sheikerz/

Date: \_\_\_\_\_ May 20, 2010 \_\_\_\_\_

By: \_\_\_\_\_  
Mehdi D. Sheikerz  
Registration No. 41,307

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MATTER	DESCRIPTION	AMOUNT
1720-1005 1252	Patent Office Fees for Two Month Extension of Time	340.00
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